S.B. CIVIL WRIT PETITION NO.27/2004
(Ghewarchand & Ors. vs. Additional District Collector & Ors.)

Date :: 08.05.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr.Arvind Samdariya, for the petitioners.
Mr.Dhanpat Choudhary, for the respondents.

Heard learned counsel for the petitioners.

I have perused the order passed by the learned Additional District Collector, Pali in revision petition filed under Section 97 of the Panchayati Raj Act. There is clear finding in the judgment that no documentary evidence is available with the Gram Panchayat as well as with the petitioners, as such, impugned Patta which is challenged after 30 years, without any evidence does not require any interference nor it is justified.

I do not find any reason to interfere with the order because there is clear finding of Additional District Collector, Pali that no documentary evidence is on record and there is disputed question of fact in this case, therefore, the writ petition is dismissed with liberty to the petitioner that if still he is aggrieved with the Patta issued by the Gram Panchayat, then he can avail remedy before the civil court in accordance with law.

{GOPAL KRISHAN VYAS}, J.

A.K. Chouhan/-